

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PATRICK BRUCE GORDON,

Petitioner,

CIV. S-91-0882-LKK PAN

v.

DEATH PENALTY CASE

JILL L. BROWN, Acting Warden
at San Quentin State Prison,

ORDER

Respondent.

—○○—

This case came before me April 20, 2005, for hearing on
petitioner's March 25, 2005, motion to compel. Good cause
appearing and for reasons stated on the record, I hereby order
that:

1. Petitioner's March 25, 2005, motion to compel is
granted.

2. Respondent shall produce to petitioner, within 20
days, all documents in any way related to claims set forth in
petitioner's memorandum of points and authorities in support of

his motion to compel at 8:21 through 10:12. If respondent contends any such documents are entitled to protection she shall submit them to the court, within 20 days, for in camera review so the court may assess the applicability of asserted privileges and, as for non-privileged documents, weigh the benefits of disclosure against grounds for protecting the documents.

3. Petitioner is granted leave to examine Van Oss, Wingo and Colbert at deposition. The depositions shall be convened in my courtroom.

4. The record shall be completed, including document exchange and depositions, within 90 days.

So ordered.

Dated: April 26, 2005.

/s/ Peter A. Nowinski
PETER A. NOWINSKI
Magistrate Judge